

STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON NATIONAL PARKS OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 444, TO ESTABLISH THE SOUTH PARK NATIONAL HERITAGE AREA IN THE STATE OF COLORADO, AND FOR OTHER PURPOSES.

MARCH 20, 2007

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 444, a bill to establish the South Park National Heritage Area in the State of Colorado.

Park County, Colorado prepared a feasibility study for the South Park National Heritage Area that determined that the South Park region is appropriate for designation. The Park Service is reviewing this feasibility study. Nevertheless, we recommend that the committee defer action on S. 444 and all other proposed heritage area designations until program legislation is enacted that establishes guidelines and a process for the designation of national heritage areas. Last year, the Administration sent to Congress a legislative proposal to establish guidelines and a process for designation. Bills were introduced in the 109th Congress (S. 243, H.R. 760 and H.R. 6287) that incorporated the majority of the provisions of the Administration's proposal, and S. 243 passed the Senate. During the 110th Congress, a similar heritage area program bill, S. 278, has been introduced, and we look forward to continuing to work with Congress on this very important issue.

With 37 national heritage areas designated across 27 states, and more heritage area legislative proposals in the pipeline, the Administration believes it is critical at this juncture for Congress to

enact national heritage area program legislation. This legislation would provide a much-needed framework for evaluating proposed national heritage areas, offering guidelines for successful planning and management, clarifying the roles and responsibilities of all parties, and standardizing timeframes and funding for designated areas. Program legislation also would clarify the expectation that heritage areas would work toward self-sufficiency by outlining the necessary steps, including appropriate planning, to achieve that shared goal.

S. 444 would establish the South Park National Heritage Area to recognize the outstanding and nationally significant assemblage of natural, scenic, recreational and cultural resources found within South Park, which encompasses the largest mountain shortgrass grassland ever documented.

S. 444 contains safeguards to protect private property owners, including a prohibition on the use of federal funding to acquire real property or any interest in real property. The bill imposes no new provisions to provide for public use and access to private property or any new liabilities to property owners. The bill also does not modify or enlarge the authority of the federal, State, or local governments to regulate land use.

S. 444 would designate the Park County Tourism and Community Development Office, in conjunction with the South Park National Heritage Area Board of Directors as the management entity and outlines their duties. The Park County Tourism and Development Office has played a key leadership role in the conservation and interpretation of South Park's resources since the area was designated a Colorado State Heritage Area in 1997. The Board of Directors represents a

broad spectrum of individuals, agencies, organizations and governments who have been actively engaged in the planning for the NHA. The bill authorizes the development of a management plan for the NHA within three years of the enactment of this Act, or risk becoming ineligible for federal funding until a plan is submitted to the Secretary.

A feasibility study for the South Park National Heritage Area has been prepared by Park County, Colorado, which addresses the ten interim criteria used to assess National Heritage Area designations. That study determined that the area is appropriate for designation.

South Park, a high mountain valley, or park, averages 9,000 feet in elevation and rises to more than 14,000 feet in the surrounding Mosquito and Tarryall Mountain ranges. These mountain ranges contain some of the most extensive bristlecone pine forests in North America and 41 rare plant species, three of which are found nowhere else in the world. The Tarryall Mountains also contain the Lost Creek Scenic Area National Natural Landmark, where geological forces have sculpted natural spires, pinnacles, narrow gorges, and subterranean channels that cause Lost Creek to disappear and reappear at least nine times on its cascading journey through the park.

The mountainous region in the southwest corner of South Park also includes Porcupine Cave, one of the richest and most diverse paleontological sites in North America. At an elevation of 9,400 feet, Porcupine Cave contains a vertebrate faunal collection from the Middle Pleistocene Era in North America.

Entering South Park from 10,000 foot Kenosha Pass, visitors experience one of the most dramatic and scenic views within the Rocky Mountains. Encompassing nearly 1 million acres, this unique high elevation steppe constitutes the most extensive montane shortgrass grassland ever recorded. South Park also contains a unique wetland ecosystem containing 15 rare plants, nine rare insects, and two globally rare plant communities

Evidence of Native American habitation can be traced back nearly 11,000 years to the end of the last ice age. South Park's high mountains, clear streams, expansive grasslands, and abundant wildlife also attracted pioneering settlers westward.

South Park represented one of the last frontiers in the settlement of the continental United States, with hopeful prospectors arriving in the mid-19th century. Between 1859 and 1949, more than \$250 million in gold and silver were produced within the Fairplay-Alma Mining District. At 14,157 feet, the Present Help is the highest mine ever to operate in the United States. Numerous other historic sites, mining towns, mills, and cultural landscapes exist within South Park including the Snowstorm Dredge, the last intact gold dredge in Colorado, currently on the list of Colorado's Most Endangered Places.

Ranchers soon followed the miners into South Park, hoping to graze their cattle on the rich grasslands and capitalize on the hearty appetites of the miners. Many followed the famous Goodnight-Loving Trail up from Young County, Texas and eastern Colorado. The highest concentration of historic ranches can be found along the Tarryall River Corridor where a recent survey identified more than 32 historic sites associated with frontier ranching.

An hour's drive from the Denver Metro area, South Park also offers abundant recreational opportunities. The South Park basin contains portions of two wilderness areas - Lost Creek and Buffalo Peaks – located on the Pike and San Isabel National Forests. The towering Mosquito Mountain range offers the only place in the United States where climbers can ascend four peaks above 14,000 feet in a single day. In addition, South Park contains over 45 miles of Gold Medal Trout streams available to anglers. At least six different driving tours have been developed to help travelers learn more about the cultural and natural heritage of South Park. Park County has identified four interpretive themes to assist communities and other partners with their education programs.

Support for the South Park National Heritage Area comes from a broad spectrum of local, State and national governmental and non-profit organizations. In addition, all State and federal land management agencies with operations within South Park have endorsed the NHA and stated their willingness to work collaboratively with the management entity. In addition, a National Heritage Area Partnership has been established, including 21 distinct entities such as the Central Cattleman's Association and all local governments in Park County, to help achieve the Congressionally authorized conservation and education responsibilities.

If the committee chooses to move forward with this bill, the Department would recommend that the bill be amended to include an additional requirement for an evaluation to be conducted by the Secretary, three years prior to the cessation of federal funding under this act. The evaluation would examine the accomplishments of the heritage area in meeting the goals of the management

plan; analyze the leveraging and impact of investments to the heritage area; identify the critical components of the management structure and sustainability of the heritage area; and recommend what future role, if any, the National Park Service should have with respect to the heritage area.

We also recommend that the bill be amended to remove paragraph 6(a)(2) which would authorize the management entity to use federal funds to acquire conservation easements, paragraph 6(d)(2) which would require 100 percent federal funding prior to completion of the management plan, and to change the termination authority in Section 11 to expire 15 years after enactment. In addition, we would like to work with the Subcommittee to ensure that the management planning process is coordinated with the affected federal land management entities. These amendments would make S. 444 consistent with other, similar, national heritage area establishment bills and would allow the management entity to use the limited funds available for purposes other than acquiring potentially costly land interests.

Mr. Chairman, this concludes my prepared remarks. I would be pleased to answer any questions you or other members of the Subcommittee may have.